

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
for Charlottesville  
MAR 03 2006

JOHN E. CORCORAN, CLERK  
BY: Fay Coleman  
DEPUTY CLERK

BRENDA J. BROOKMAN,

*Plaintiff,*

v.

JO ANNE B. BARNHART,  
COMMISSIONER OF SOCIAL SECURITY,

*Defendant.*

CIVIL ACTION No. 3:04-CV-00076

ORDER

JUDGE NORMAN K. MOON

This matter was referred to the presiding United States Magistrate Judge for proposed findings of fact and a recommended disposition. The Magistrate Judge filed her Report and Recommendation, wherein she recommended that the final decision of the Commissioner be reversed, and that the case be remanded to the Commissioner for further proceedings. *See* 42 U.S.C. § 405(g). Upon careful review of the entire record in this case, and no objection having been filed to the Magistrate Judge's Report within ten days of its service upon the parties, *see* Fed. R. Civ. P. 72(b), the Court adopts the Magistrate Judge's Report in its entirety. It is accordingly this day

ADJUDGED, ORDERED, AND DECREED

as follows:

1. The Report and Recommendation of the United States Magistrate Judge, filed

September 27, 2005, shall be, and it hereby is, ADOPTED in its entirety;

2. For the reasons stated in the Report and Recommendation, the Commissioner's and Plaintiff's Motions for Summary Judgment shall be, and they hereby are, DENIED;

3. The final decision of the Commissioner shall be, and hereby is, VACATED;

4. This above-captioned civil action shall be, and hereby is, REMANDED to the Commissioner for further proceedings with regard to the effect of Plaintiff's mental impairment on her work-related activities prior to December 6, 2000.

5. This case shall be, and hereby is, STRICKEN from the docket of the court.

The Clerk of the Court hereby is directed to send a certified copy of this Order to all counsel of record and to Magistrate Judge Sargent.

ENTERED:

Norman K. Mann  
United States District Judge

March 3, 2006  
Date